REMARKS/ARGUMENTS

Applicant has reviewed and analyzed the Office Action dated March 6, 2008, and provides the following remarks and comments in response thereto. Claim 22 has been amended to be in a more preferred form. No new matter has been added. Claims 1, 2, 4-8, 10-14 and 16-22 remain pending.

Claim Rejections Under 35 U.S.C. §102

Claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17 and 19-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by Ficco (U.S. Patent Pub. No. 2005/0166224, "Ficco"). This rejection is respectfully traversed for the following reasons.

Claim 1 recites, *inter alia*,

> "...receiving the 2-D video broadcast including a first advertisement having a 2-D image; identifying the 2-D image within the first advertisement, wherein the 2-D image is identified based on its characteristics and exclusively at a viewer's equipment; looking-up a matching 3-D object in an image library, wherein the library comprises one or more 3-D objects; using the matching 3-D object to generate an enhanced first advertisement, wherein the enhanced first advertisement has a 3-D highlighted rendering of the image produced by pushing the 3-D object into the 2-D image, and further wherein said 3-D highlighted rendering of the image comprises a portion of the original 2-D image and said 3-D object..."

Contrary to the Office Action's assertions, Ficco lacks a teaching or suggestion of such features. In particular, nowhere does Ficco teach or suggest 3-D objects that are pushed onto 2-D images of an advertisement received in a 2-D video broadcast to generate an enhanced first advertisement. The Action alleges that Ficco discloses 3-D objects by describing wireframe models and texture maps. Office Action, p. 3. Applicants respectfully disagree. Wireframe models and texture maps are not limited to 3-D modeling and may equally apply to 2-D textures and images. There is no teaching or suggestion in Ficco to suggest that the wireframe models and texture maps described therein correspond to 3-D models. Indeed, Ficco lacks a teaching or suggestion of 3-D, much less 3-D highlighted renderings of images produced by pushing a 3-D object onto a 2-D image, as recited in claim 1. Accordingly, claim 1 is allowable for at least these reasons.

Additionally, Ficco also fails to teach or suggest looking up a matching 3-D object from an image library, wherein the 3-D object is used to generate a 3-D highlighted rendering of a 2-D image in an advertisement included in a 2-D video broadcast. The Action argues, at p. 2, that Ficco discloses the step of receiving and storing one or more ad segments in memory, as well as receiving wireframe along with ads for subsequent enhancement of ads according to user preferences. Even assuming, without conceding, that such assertions are valid and that a wireframe model corresponds to a 3-D model, Applicant submits that Ficco does not teach or suggest selection of an ad segment from memory when performing ad processing to adapt a *broadcast* advertisement. Indeed, Ficco's ad selection process is used when a broadcast advertisement is to be replaced. *See also* p. 2, para. [0023]. Ficco specifically discloses that ad processing of a broadcast advertisement is performed *instead of* an ad selection process. p. 4, para. [0051] (stating "Instead of an ad selection process, the apparatus of FIG. 3 generally performs ad processing in order to adapt the advertisement to the recipient."). Thus, Ficco specifically teaches away from looking up a matching 3-D object that is pushed onto a 2-D image in an advertisement included in a 2-D video broadcast. At best, Ficco describes choosing another texture map (e.g., image of Kathy Ireland), not a 3-D object, to replace the image of the original model in an advertisement. Ficco goes on to describe that the new texture map is mapped onto the *same/original* wireframe and that wireframe data may be transmitted *along with the broadcast advertisement*, which eliminates a need or reason to look-up a matching wireframe model (i.e., the alleged 3-D object) when processing a broadcast advertisement. *See, e.g.*, p. 6, para. [0090] (stating that "Johnny Unitas could be texture mapped onto a wireframe model *of the original quarterback* in a broadcast football game."). (Emphasis Added.). Accordingly, Ficco clearly fails to teach or suggest each and every feature of claim 1. Claim 1 is thus allowable for these additional reasons.

Claims 7, 13 and 19 recite features similar to those discussed above with respect to claim 1 and are thus allowable for at least the same reasons as claim 1.

Claims 2-5, 8-11, 14-17 and 20-22 are dependent on claims 1, 7, 13 and 19, respectively, and are thus allowable for at least the same reasons as their base independent claim and further in view of the novel and non-obvious features recited therein.

Claim Rejections Under 35 U.S.C. §103

Claims 6, 12 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ficco. This rejection is traversed for at least the following reasons.

As discussed above, Ficco fails to teach or suggest each and every feature of claims 1, 7 and 13. The Office Action's taking of Official Notice does not cure the deficiencies of Ficco discussed above. Claims 6, 12 and 18 are dependent on claims 1, 7 and 13, respectively, and are thus allowable for at least the same reasons as their base independent claim.

CONCLUSION

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3156.

Respectfully submitted,

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